

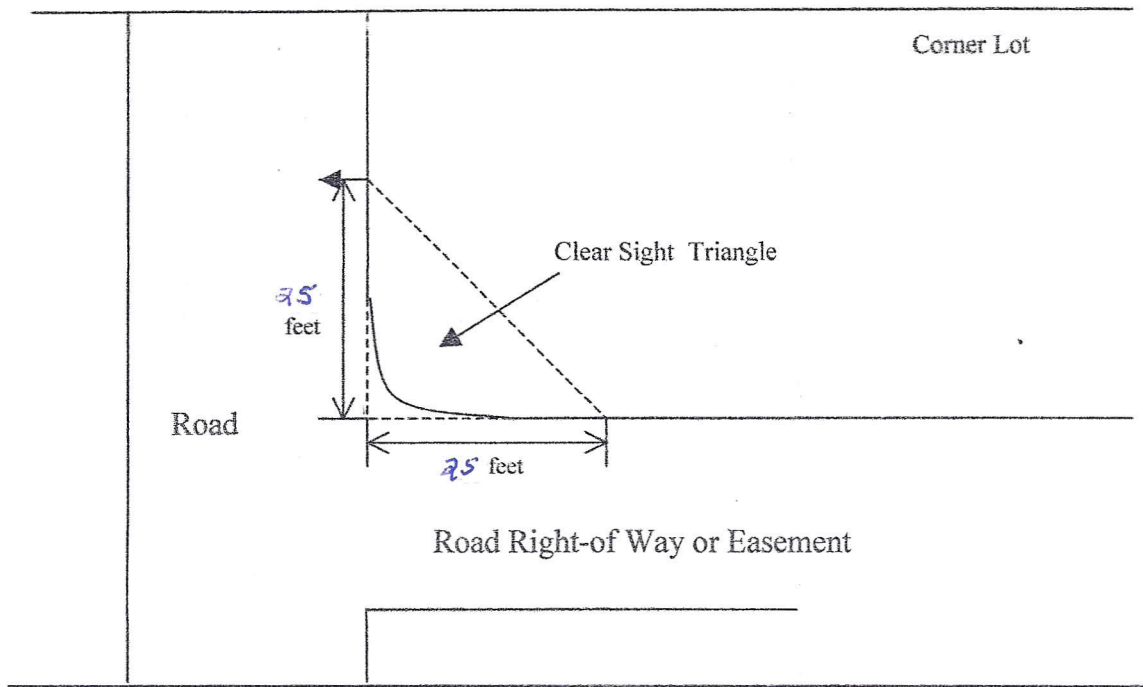
Agenda

Item #1

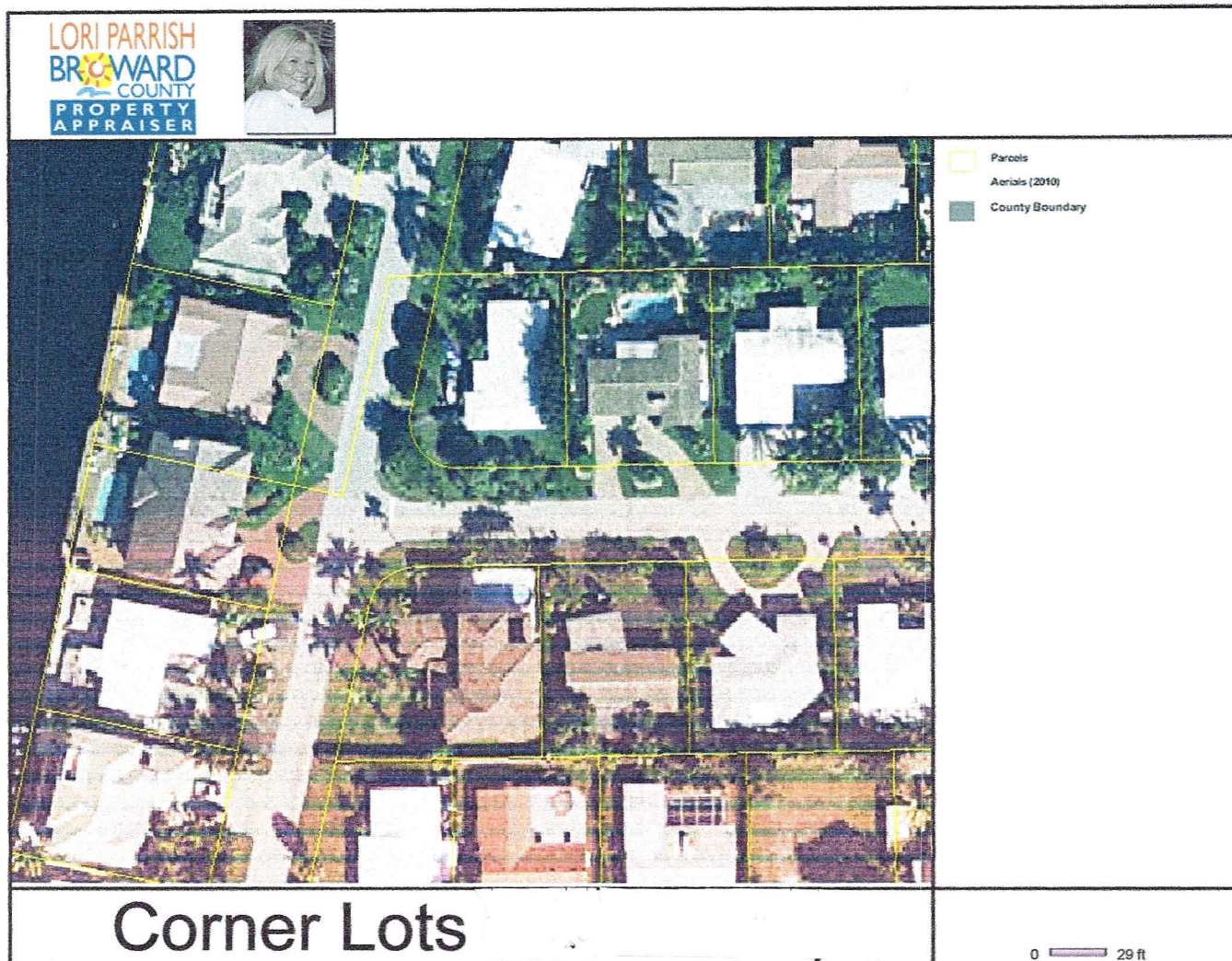
Code amendments to 30-313 (29) General Provisions to allow swimming pools in front setbacks on corner lots.

- | | |
|----------------|--|
| 1. Example #1. | Depicts a site triangle. |
| 2. Example #2. | Depicts an aerial of a legal pool in the front yard. |
| 3. Example #3. | Is a survey of a random corner lot. |

The placement and size of all structures on corner lots vary. Therefore, the setbacks vary. All lots should have a minimum front setback of 25ft.

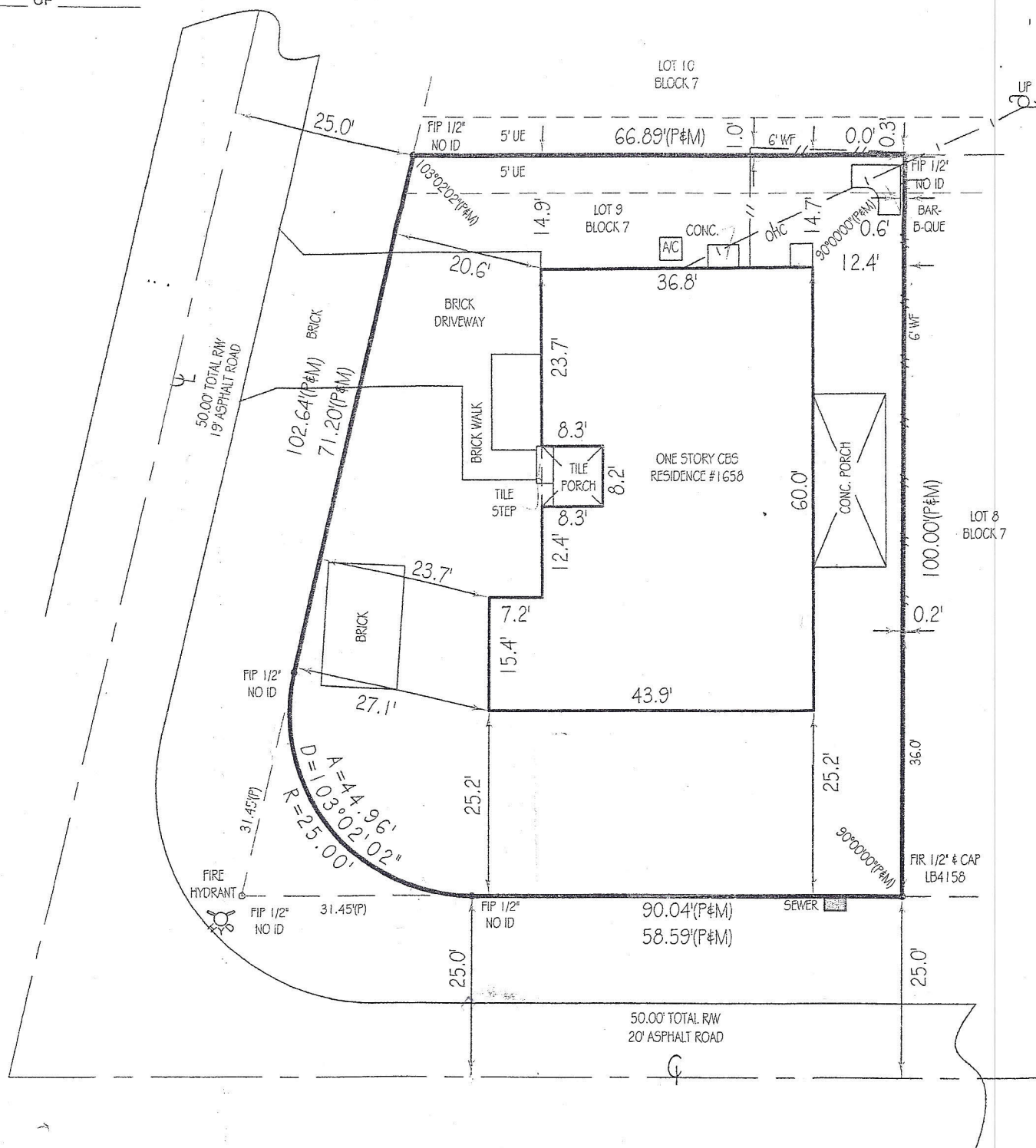


Example only #1



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Example only # 2



Example Only # 3

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ORDINANCE 2010-__

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as
being true, correct and reflective of the legislative intent underlying this Ordinance and are hereby
made a specific part of this Ordinance.

SECTION 2. Chapter 30 "UNIFIED LAND DEVELOPMENT REGULATIONS,"
Article V "Zoning," Division 2 "Districts," Subdivision L "Supplemental Regulations," Section 30-
313 "General provisions," is hereby amended as follows:

Sec. 30-313. General provisions.

* * * * *

(29) Swimming pools, decks, patios, hot tubs and spas; setbacks and enclosure required. No
swimming pool, hot tub or spa shall be constructed within a front yard setback, unless the lot is a
corner lot. Swimming pools, hot tubs and spas shall have the following minimum setback
regulations:

- a. All water bearing wall surfaces shall have a minimum five-foot setback from the side
and rear property lines.
- b. All water bearing wall surfaces shall have a minimum five ~~ten~~-foot setback from any
public right-of-way.
- c. Notwithstanding any other regulation of this Code, fencing to enclose a swimming
pool, hot tub or spa is permitted in the front setback, but shall not obstruct the view
within any sight distance triangle.
- d. All swimming pools shall be enclosed by an open mesh screen enclosure or a fence of
wall a minimum of five feet in height of such design and material as will prevent
unauthorized access to the pool area. All screen doors and fence gates shall be equipped
with a self-locking mechanism.
- e. Swimming pools or spas on lots that directly abut a waterway or other water area shall
not require enclosure along such waterway or water area.

Screen enclosures, pool decks, patios, porches and terraces shall be permitted in the required side
yard or rear yard only or in the front yard of a corner lot with a pool located in the front yard, and
shall ~~not~~ be located at least less than 2 1/2 feet from plot lines. In addition, the location of screen
enclosures, pool decks, patios, porches and terraces will need to be located outside of any utility
easement areas, unless the property owner obtains consent from the applicable utility(s) to allow
any of these structures in the easement area, and shall not obstruct the view within any sight
distance triangle.

ORDINANCE 2010-__

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SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconditional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. Conflicts. All ordinances or parts of Ordinances and all Resolutions or parts of Resolutions in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon passage on second reading.

SECTION 6. Codification. This Ordinance shall be codified.

SECTION 7. Adoption. Passed on the first reading, this ____ day of _____, 2010.

Passed on the second reading, this ____ day of _____, 2010.

Mayor Roseann Minnet

First Reading

Second Reading

Mayor Minnet
Vice-Mayor Dodd
Commissioner Clotey
Commissioner Sasser
Commissioner Vincent

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Attest:

Town Clerk, June White

(CORPORATE SEAL)

Approved as to form:

Town Attorney, Susan L. Trevarthen